

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL836072880
Express Mail Label Number

November 9, 2001
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
GUTMANN

Art Unit: NOT YET ASSIGNED
Examiner: NOT YET ASSIGNED

APPLICATION NO: NOT YET ASSIGNED
FILED: HEREWITH
FOR: SOLVATES OF PYMETROZONE

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

CLEAN COPY OF AMENDMENTS

In the specification:

Page 1, Before the first line of the specification, please add:

"This application is a continuation of International Application No. PCT/EP00/04251, filed May 10, 2000, the contents of which are incorporated herein by reference."

In the claims:

Please cancel claims 6- 9 without prejudice to the subject matter involved;

Claims 4 and 5 have been amended;

4.(Amended) A pesticidal composition which contains a compound according to claim 1 of formula (I) and one or more adjuvants.

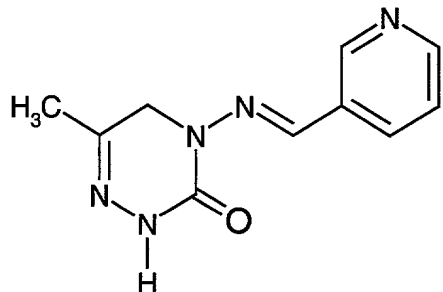
5.(Amended) A method of controlling pests, which comprises applying an active ingredient of formula (I) as described in claim 1 in a pesticidally active quantity to the pests or to their locus.

Please add new claims 10-12

RECEIVED 11/14/01

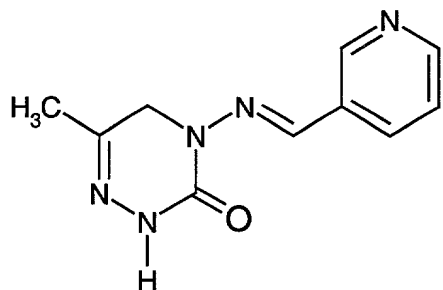
10.(New) A method of controlling pests, which comprises applying the composition according to claim 4 in a pesticidally active quantity to the pests or to their locus.

11.(New) A method for the preparation of a compound of formula (I) as described in claim 1, in which a non-solvated, pesticidally active compound of the formula:



is brought into contact with a solvation agent.

12.(New) A method for the preparation of pesticidal compositions as described in claim 4, which comprises bringing a pesticidal mixture containing an essentially solvate-free compound of formula



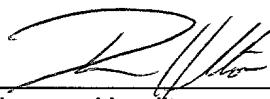
into contact with a solvation agent.

REMARKS

Kindly enter the foregoing amendment prior to calculating the filing fee.

Respectfully submitted,

Syngenta Crop Protection, Inc.
Patent and Trademark Dept.
410 Swing Road
Greensboro, NC 27409
(336) 632-7586



Thomas Hamilton
Attorney for Applicant
Reg. No. 40,464

Date: *Nov. 9, 2001*

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Page 1, Before the first line of the specification, please add:

"This application is a continuation of International Application No. PCT/EP00/04251, filed May 10, 2000, the contents of which are incorporated herein by reference."

In the claims:

Claims 6-9 have been canceled.

Claims 4 and 5 have been amended as follows:

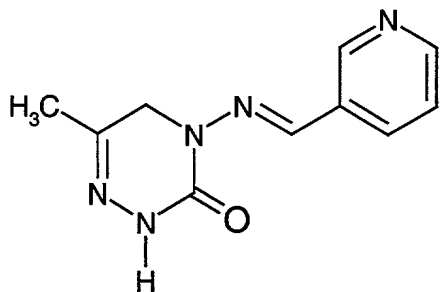
4.(Amended) A pesticidal composition which contains a compound according to [anyone of claims 1 to 3] claim 1 of formula (I) and one or more adjuvants.

5.(Amended) A method of controlling pests, which comprises applying an active ingredient of formula (I) as described in claim 1 [or a composition containing this active ingredient] in a pesticidally active quantity [as described in claim 4] to the pests or to their locus.

New claims 10-12 have been added.

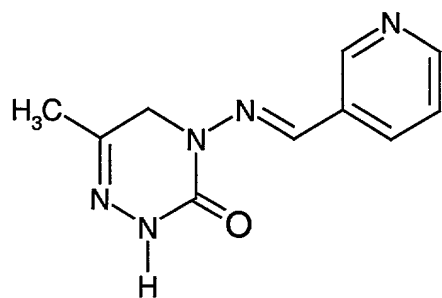
10.(New) A method of controlling pests, which comprises applying the composition according to claim 4 in a pesticidally active quantity to the pests or to their locus.

11.(New) A method for the preparation of a compound of formula (I) as described in claim 1, in which a non-solvated, pesticidally active compound of the formula:



is brought into contact with a solvation agent.

12.(New) A method for the preparation of pesticidal compositions as described in claim 4, which comprises bringing a pesticidal mixture containing an essentially solvate-free compound of formula

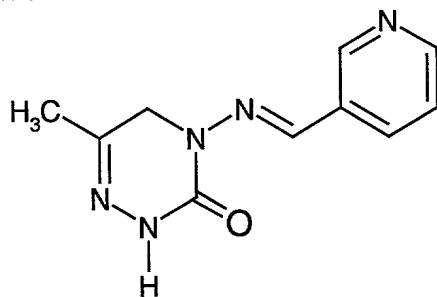


into contact with a solvation agent.

10039706-110901

CLEAN COPY OF ALL PENDING CLAIMS

1. Compounds of formula



wherein

r and s, independently of each other, signify any value between 0.00 and 12.00; and L is methanol, ethanol, propanol, isopropanol, butanol, isobutanol, t-butanol, cyclohexanol, tetrahydrofurfuryl alcohol, ethylene glycol, glycerol, methyl acetate, ethyl acetate, ethyl lactate, butyrolactone, ethylene carbonate, propylene carbonate, acetonitrile, dimethyl sulphoxide, dimethylformamide, dimethylacetamide, N-methyl-2-pyrrolidone, N-octyl-2-pyrrolidone, N-decyl-2-pyrrolidone, acetone, butanone, methyl isobutyl ketone, methylpropyl ketone, acetophenone, cyclohexanone, methylene chloride, trichloromethane, trichloroethane, tetrahydrofuran, diethylether, 1,2-dimethoxyethane, dioxane, methyl-tert.-butylether, ethanolamine, pyridine, chlorobenzene, toluene, xylene or tetramethylurea; with the proviso that r and s are not simultaneously 0, each in free form or in salt form, and the tautomers thereof, each in free form or in salt form.

2. Compounds of formula (I) according to claim 1, in which L signifies methanol.

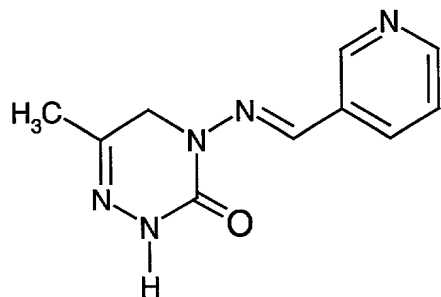
3. Compounds of formula (I) according to claim 1, in which r is 0 and s is 2.

4. A pesticidal composition which contains a compound according to claim 1 of formula (I) and one or more adjuvants.

5. A method of controlling pests, which comprises applying an active ingredient of formula (I) as described in claim 1 in a pesticidally active quantity to the pests or to their locus.

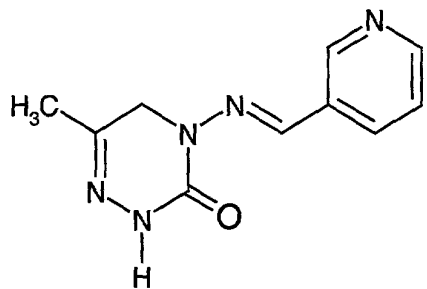
10. A method of controlling pests, which comprises applying the composition according to claim 4 in a pesticidally active quantity to the pests or to their locus.

11. A method for the preparation of a compound of formula (I) as described in claim 1, in which a non-solvated, pesticidally active compound of the formula:



into contact with a solvation agent.

12. A method for the preparation of pesticidal compositions as described in claim 4, which comprises bringing a pesticidal mixture containing an essentially solvate-free compound of formula



is brought into contact with a solvation agent.

10039786-10931